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C O N F I D E N T I A L TIRANA 001083

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TAGS: [PGOV](#) [PREL](#) [AL](#)
SUBJECT: ALBANIA: IMMUNITY LIFTED FOR FOREIGN MINISTER,
WHO REMAINS UNCONCERNED

REF: A) TIRANA 956 B) TIRANA 870 C) 06 TIRANA 1039 D)
06 TIRANA 995

Classified By: CHARGE D'AFFAIRES STEPHEN A. CRISTINA, Reasons 1.4 (B) and (D).

¶1. (U) Albania's Parliament voted December 27 to lift the immunity of Foreign Minister/Member of Parliament Lulzim Basha. The Prosecutor General's (PG) office (under the recently dismissed PG) requested the action in order to pursue an investigation of suspected irregularities affecting the award of a contract for the Durres-Kukes road during Basha's previous tenure as Minister of Transportation (Ref B). That contract was awarded to the U.S. firm, Bechtel. Basha had urged that his immunity be lifted and has stated repeatedly and publicly that he is unconcerned with the charges against him and willing to appear before prosecutors. The vote was 107 for, 12 against.

¶2. (SBU) The vote clears the way for the Prosecutor's office to summon the Foreign Minister for questioning, wiretap his phone (with judicial permission), conduct searches, etc. in support of the investigation into allegations of legal violations in the issuance of the road contract. If there were sufficient evidence of Basha's involvement in wrongdoing, he could be charged and brought before a court. The vote to lift his immunity does not require Basha to resign as Foreign Minister. If he were officially charged, prosecutors could, at that point, request a court to suspend him from public office until a final verdict is reached. (Prosecutors have continued with the case under newly appointed PG Rama.) Most legal contacts with whom we have spoken believe the vote lifts Basha's immunity only for this investigation, not for an investigation on unrelated accusations, but there is no solid precedent.

¶3. (C) COMMENT: Basha has been equally unconcerned privately as publicly about the allegations against him, assuring the Ambassador that they were politically motivated and he was not in danger (Ref A). Several newspapers published a photo of a calmly smiling Basha returning to his seat after his intervention in Parliament on December 27 to receive a friendly handshake from PM Berisha.
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